REMARKS/ARGUMENTS

Reconsideration of the rejections set forth in the Final Office Action dated August 26, 2004, is respectfully requested. Claims 1-20 have been rejected. Claim 20, which depended directly from independent claim 1, has been cancelled, and some of the limitations of now-cancelled claim 20 have been incorporated into claim 1. Claims 7 and 13 have been amended to include the limitations added into claim 1. Claim 21 has been added. Accordingly, claims 1-19 and 21 are currently pending.

New claim 21 recites that a communications network is one of a wireless communications network, a data over cable network, and a digital subscriber loop (DSL) network. Support for this new claim may be found in the Specification, as for example on page 5 at lines 15-16.

In addition to be amended to include some of the limitations of now-cancelled claim 20, claims 1, 7, and 13 have also been amended to recite that a communications network is arranged to implement access to the Internet. Support for this amendment may be found in the Specification, as for example on page 5 at lines 16-17.

Interview Summary

The Applicant would like to thank Examiner Do for graciously granting an interview with the undersigned to discuss the Final Office Action and a proposed amendment submitted by the Applicant. On October 19, 2004, the Examiner Do and the undersigned discussed potentially amending claim 1 to include the limitations of now-cancelled claim 20, and the undersigned presented her view that the allowability of claim 1 as originally filed not withstanding, the cited art does not teach monitoring a signal that includes data and is obtained from a wireless

communication channel of a communication network. The Examiner presented his view regarding a signal that includes data, and a wireless communication channel. During the interview, while an agreement was not reached, the Examiner made several helpful suggestions as to how the Applicant's proposed amendments might potentially be improved to overcome the cited art. The Applicant would like to thank Examiner Do for the courtesy with which he conducted the interview.

Rejections under 35 U.S.C § 102 and 35 U.S.C. § 103

Claims 1-18 and 20 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Koopman (U.S. Patent No. 5,757,923). Claim 19 has been rejected under 35 U.S.C. § 103(a) as being anticipated by Koopman (U.S. Patent No. 5,757,923) in view of Maher et al. (U.S. Patent No. 4,545,024).

While the Applicant respectfully disagrees with the Examiner's rejections, and stands by the arguments presented in Amendment A as filed on May 12, 2004, claim 1 has been amended to include some of the limitations of now-cancelled claim 20 in a sincere effort to expedite the prosecution of the instant application. The amendments made to the claims have been made purely to expedite the prosecution of the instant application, and should not be construed as an admission regarding the patentability of the claims as originally filed. The Applicant notes that he believes that the claims as originally filed are allowable over the cited art.

As amended, claim 1 recites a method for generating a random value which includes monitoring a signal which includes data and has additive noise. The signal is obtained from a communication channel of a communication network which is arranged to implement access to the Internet. The method also includes sampling the signal to generate a random value, and storing the random value.

The Applicant respectfully disagrees with the Examiner's assertions, and submits that Koopman does not teach of monitoring a signal obtained from a communication channel of a communication network where the signal is arranged to include data and also includes additive noise. The Examiner has stated, on pages 5 and 6 of the Final Office Action dated August 26, 2004, that he is interpreting a noise generator as a communication channel, and that a signal is obtained from a noise source that is a fan. The Applicant submits that, following the Examiner's argument purely for purposes of illustration, there is no teaching that the noise generator is a communication channel of a communication network that is arranged to implement access to the Internet. As such, claim 1 is believed to be allowable over the cited for at least this reason.

Koopman also does not appear to teach of sampling a signal to generate a random value, then storing the random value. While Koopman does appear to teach of sampling (Koopman, column 5 at lines 46-49), the sampling is not performed on a signal obtained from a communication channel, and does not appear to be performed to generate a random value. The sampling is performed to provide samples which are then digitized (Koopman, column 5 at lines 57-61 and column 6 at lines 20-24). Random numbers do not appear to be generated until algorithmic functions stored in memory are used (Koopman, column 6 at lines 4-5 and Figure 3). The Applicant submits that random numbers which are generated using algorithmic functions stored in memory are not the same as random values that are generated by sampling a signal.

Claims 2-6 each depend either directly or indirectly from independent claim 1 and are, therefore, each believed to be allowable over Koopman for at least the reasons set forth above with respect to claim 1. Each of these dependent claims recites additional limitations which, when considered in light of claim 1, are believed to further distinguish the claimed invention over the art of record. By way of example, claim 4 recites that monitoring a signal comprises monitoring a digital signal represented by multiple bits, where the (digital) signal is monitored **prior** to the (digital) signal being sampled (as required in claim 1). The Examiner appears to admit, on page 6 of the Final Office Action dated August 26, 2004, that after an analog signal is sampled, the signal is monitored, which is not the same as monitoring a digital signal before sampling the digital signal. A sampler and digitizer of Koopman first samples sound (Koopman, column 5 at lines 46-49), then digitizes each sample (Koopman, column 5 at lines 57-61).

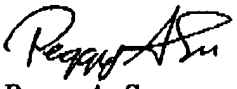
Koopman records sound using a recording device, samples the sound, then digitizes the samples only after the samples are obtained. Hence, it is respectfully submitted that Koopman does not teach of monitoring a **digital** signal which is then sampled to generate a random value. As Koopman does not disclose monitoring a digital signal, or of monitoring a digital signal then sampling the digital signal to generate a random value, claim 4 is believed to be allowable over Koopman for at least these additional reasons.

Independent claims 7 and 13 recite apparatuses which perform the method of claim 1. Therefore, claims 7 and 13, as well as their respective dependent claims, are each believed to be allowable over Koopman for at least the reasons set forth above with respect to claim 1.

Conclusion

For at least the foregoing reasons, the Applicant believes all the pending claims are in condition for allowance and should be passed to issue. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at (408) 446-8696.

Respectfully submitted,



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